

## **REMARKS**

### **I. Status of the Application**

Applicants have amended the claims to address formal matters. New claims 20-22 have been added. Support for claims 20-22 can be found at least in claims 3, 8 and 10, respectively, as originally filed. The amendments presented herein add no new matter.

At page two of the instant Office Action, the Examiner has required restriction between two groups of inventions, namely claims 1-14 and 17-19, drawn to an injectable bone filler composition and methods related thereto (Invention I), classified in class 623, subclass 16.11; and claims 15-16, drawn to a syringe (Invention II), classified in class D24, subclass 130.

Applicants respectfully traverse the restriction requirement. Applicants believe that the subject matter of claims 1-14, 17-19 and 15-16 is interrelated to the extent that a search and examination of the subject matter of those claims in the same application would not be overburdensome. Notwithstanding, Applicants elect the invention of Invention I, claims 1-14 and 17-19 for prosecution on the merits.

At page 3 of the instant Office Action, the Examiner has required, upon election of Invention I, that Applicants elect a single species from each group to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is held to be generic. The Examiner has requested that Applicants elect a species of a type of calcium salt particles from subgroups a-j in Group 1; and a species of a type of binder from subgroups k-q in Group 2. Applicants note that the instant Office Action recites two subgroups corresponding to the letter q, i.e., combinations of (k)-(p) and trans glutaminase.

Applicants respectfully traverse the Examiner's election of species requirement. Applicants submit that the species are interrelated to the extent that a search and examination of the subject matter of those claims in the same application would not be overburdensome.

Notwithstanding Applicants' traversal, Applicants elect subgroup j of Group 1, the combinations of hydroxyapatite and beta-calcium phosphate; and subgroup q of Group 2, the combinations of alginates, dextrans, cellulose and cellulose derivatives, plasma, biogenic binders and hyaluronic acid for prosecution on the merits. Claims readable on the elected species include claims 1, 3-6, 8-14 and 17-19.

Respectfully submitted,

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By J. Stone-Hulslander  
Judith L. Stone-Hulslander, Reg. No. 55,652  
BANNER & WITCOFF, LTD.  
28 State Street, 28th Floor  
Boston, MA 02109  
(617) 720-9600